

**Minutes of the Criminal Justice Collaborating Council
Alcohol Treatment Court Subcommittee
October 21, 2009**

Chair Foster called the meeting to order at 12:20 p.m.

Present: Judge Kathy Foster (Chair), Mike DeMares, Melissa Emberts, Kathy Madden, Diane Kelsner, Jean LaTour. **Absent:** Brad Schimel, Sam Benedict, Dan Fay, Meg Schnabl, Ray Cunneen, Sara Carpenter, Karl Held.

Also Present: Rebecca Luczaj, Kristy Gusse, Laurel Walker (Journal Sentinel).

Minutes recorded by: Kathy Leach, Health & Human Services Department.

Approval of Minutes from July 29, 2009

MOTION: Madden made a motion seconded by DeMares to approve the minutes of July 29. Motion carried unanimously.

ATC Program Update

Gusse indicated there have been 158 participants through the end of September 2009, program-to-date, with another 5 who have been added in the month of October 2009. The current caseload is 55 participants. She is anticipating a couple of new graduates in the next few weeks that are eligible and although they are making their payments, they won't graduate until a certain amount is paid. There are currently 17 participants in phase 1 and 15 in phase 4, with about 10 people on the waiting list.

There was some discussion regarding holding participants back from graduation due to fines not being paid. Gusse said that these participants are paying their monthly obligations, but because their fines are so high, it takes a long period of time to get them down low enough to allow them to graduate. There are a few people who will be eligible to graduate in the next few months, but are just not able to pay their fines at a faster rate. Gusse said it is not a huge issue because there have been very few participants they have held back for this reason. Some participants, who have lost their jobs, are unable to pay any additional amount. LaTour said that overall, participants are paying their fines. Foster suggested community service be discussed as an alternative. Foster asked Kelsner to put this issue on the next agenda for the Criminal Traffic Division Judges' meeting to discuss if the criminal traffic judges would prefer a letter from the treatment court judge requesting community service for certain participants in lieu of paying their full fines.

Gusse reported that there have been 22 discharges and 85 graduates since the beginning of the program through the end of September 2009. Only one participant re-offended recently while in the program. The next graduation could be the 5th of November. There has been some delay due to the recent rotation of judges.

Review and Discuss ATC Final Evaluation Report

Foster asked if anyone had any comments on the final report completed by Matt Hiller. Foster said her only criticism is the fact that the report was written in conjunction with our federal grant (which was a requirement of the grant). Hiller was not hired to provide statistics to support continued funding of the program. Foster said that some positives that were not evaluated include: payment of fines, kids not being placed in foster care, payment of child support, etc. She said we should invest some time substantiating other monetary savings and benefits to the community that have resulted from the program's implementation.

Kelsner asked how many cases are displaced because of the Alcohol Treatment Court program. How many defendants' court dates are prolonged due to the judge's calendar set aside for ATC? Foster said we need to compare the cases' age to final disposition. DeMares said we need to consider the safety of the community, not just numbers being processed through the courts. In the long run, ATC most likely decreases Health & Human Services Department costs. Luczaj suggested that this topic may be something that the Public Policy Forum can research through their technical assistance contract with the CJCC; evaluating our programs' effectiveness and efficiency is on their list of future tasks.

LaTour said the evaluation report does not address how the lack of effective public transportation affects repeat Operating After Revocation offenses by participants. In addition, she stated that the report does not reflect that treatment providers are heavily engaged at the pretrial stage, which offsets their lesser involvement with ATC post-conviction.

Foster stated that another negative, addressed in the evaluation report, is the lack of involvement of the DA's Office. What is the value of having them involved? LaTour said that their involvement in staffings is important and that their lack of participation detracts from the drug court model, but not from the success of the ATC program. Madden suggested, and all agreed, that since Schimel was not in attendance at the meeting, the topic of the District Attorney's Office participating on the ATC staffing team will be tabled and added to the next meeting's agenda for further discussion.

Update on ATC Fee Assessment & Collection

Luczaj distributed and reviewed a handout titled "Alcohol Treatment Court Fee Assessment & Collection Summary Statistics June – October 2009."

Luczaj stated that 22 participants have been enrolled in ATC since the implementation of a monthly program fee in June 2009. Of these, 12 have been assessed by HHS and assigned a monthly fee, while 10 have pending fee assessments. Five (42%) have been assessed at \$50/month, four (33%) at \$25/month, two (17%) at \$100/month, and one (8%) at \$75/month. After being assessed a monthly fee based on family income, HHS mails the first invoice by the 15th of the following month for the previous month's services. As of October 2009, only 33% (4) of the 12 participants assessed had paid, although those assessed within the past 30-45 days may not have received their first invoice yet.

Madden asked if the first payment can be collected right away to avoid the delay in billing. LaTour suggested that when participants are initially assessed a monthly fee, that HHS should collect the first payment.

Gusse said that once WCS is informed what the monthly fee is for each participant, they need to make sure the fee is paid by the 15th of the following month.

Foster said we are still in the infancy of fee assessment and collection. Luczaj said we are continuously monitoring the process and making changes as-needed.

Update on BJA & SAMHSA Grant Applications

Luczaj distributed and reviewed a handout titled “FY 2009 Adult Drug Court Discretionary Grant Program Funding Results.”

Luczaj stated that the Bureau of Justice Assistance received 184 grant applications, and Waukesha County’s did not get funded. There were only 3 grants awarded in the state of Wisconsin. She has not received reviewer’s comments yet.

Luczaj stated we have not received official word regarding the Substance Abuse & Mental Health Services Administration proposal submitted, but is quite certain we did not get funded because Milwaukee County did, and had already received confirmation several weeks ago.

Set Next Meeting Date

The next meeting is scheduled for Wednesday, January 6, 2010 at 12:15 p.m. Meeting location to be determined.

On the next agenda, Foster would like to revisit the discussion about adding an ATC graduate to the Subcommittee. She recently spoke with a graduate who, next month, will have four years of sobriety. LaTour stated that we definitely need to discuss this further since there was a lot of debate the last time this was on an agenda and she has some concerns, as did some other members who are presently not in attendance.

The meeting adjourned at 1:26 p.m.